

REMARKS

Claims 1-6 are pending in the present application. With entry of this Amendment, Applicant amends claims 2-4 and 6. Reexamination and reconsideration are respectfully requested.

Applicant notes with appreciation the allowance of claims 1 and 5 and the indication of allowable subject matter of claims 2-4 and 6 if rejections based on §§ 101 and 112 are addressed.

Specifically, the Examiner rejected claim 6 under § 101 as being directed to non-patentable subject matter and proposed amending claim 6 to recite “a computer-readable medium encoded with computer-executable instructions to execute an image processing method.” Applicant has amended claim 6 in accordance with the Examiner’s suggestion and, thus, respectfully submits that claim 6 is in condition for allowance.

The Examiner rejected claims 2-4, which depend from claim 1, under § 112, second paragraph, because it is not clear “if the claims are part of the claim 1.” Applicants are uncertain as to the Examiner’s rejection. Claims 2-4 are dependent from claim 1 in that they include every recitation of claim 1 by specifically reciting “An image processing apparatus according to claim 1 . . .” Furthermore, claims 2-4 refer to elements in claim 1 thereby making it clear that each claim depends from claim 1. For further clarity, Applicants have amended claims 2-4 to recite “*The* image processing apparatus according to claim 1 . . .” Accordingly, Applicant respectfully submits that claims 2-4 are in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032044800.

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Respectfully submitted,

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